

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
SUIT NO. 1743 OF 1993

Central Bank of India Plaintiff
VS.
Jassu T. Roha & anr. ... Defendants

CORAM: A.S.AGUIAR J.
Date: 6 /4 /2005

O. A. Das for plaintiff
None for defendant.

P.C.
Advocate for the plaintiff states that he does not press for any relief against defendant no.2 as he is not served and prays that suit against defendant no.2 be dropped. Affidavit proving service on defendant no.1 is on record. However, since no written statement is on record the suit was transferred by order of the Prothonotary dated 20/3/1998 to the list of undefended suits.

In view thereof there will be a decree under Order VIII Rule 10 CPC in terms of prayer clause (a) of the plaint, against defendant no.1, in favour of the plaintiffs. Suit as against defendant no. 2 is dismissed for non prosecution. Suit to stand disposed of with no order as to costs.

C. C. expedited.

(A. S. Aguiar J.)